IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Wayne L. Ryan et al.

Group Art Unit: 1641

Serial No.: 09/747,619

Examiner: T. McCaa

Filed: December 22, 2000

For: IMPROVED FLOW CYTOMETRY REAGENT AND SYSTEM

Attorney Docket No.: 1003-015

Commissioner of Patents Washington, D.C. 20231

NOT TO BE PLACED IN APPLICATION FILE

PROPOSED AMENDED CLAIMS WITH MARKINGS TO SHOW CHANGES MADE

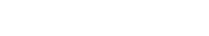
- 1. (proposed amended) A reagent composition for preparing leukocytes for cytometric analysis, comprising:
 - a. a lipoprotein; [and]
 - an agent for lysing erythrocytes for permitting cytometric analysis
 of said leukocytes; and
 - c. <u>a preservative selected from the group consisting of diazolidinyl</u>
 <u>urea (DU), imidazolidinyl urea (IDU), an oxazolidine and mixtures thereof.</u>
 - 5. (proposed amended) A system for flow cytometry, comprising:
 - a. a flow cytometer instrument;
 - b. a reagent for preparing leukocytes for analysis by flow cytometry, said reagent including:

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i. <u>a lipoprotein;</u>



- ii. <u>an agent for lysing erythrocytes for permitting cytometric</u> analysis of said leukocytes; and
- iii. a preservative selected from the group consisting of diazolidinyl urea (DU), imidazolidinyl urea (IDU), an oxazolidine and mixtures thereof.
- [i. an effective amount of a lipoprotein; and
- ii. an effective amount of a lytic agent.]
- 6. (proposed cancelled) The composition of claim 1 further comprising a preservative.
- 7. (proposed cancelled) The composition of claim 1 wherein said preservative is a noncoagulative preservative.
- 8. (proposed cancelled) The composition of claim 1 wherein said preservative is selected from the group consisting of diazolidinyl urea (DU), imidazolidinyl urea (IDU), an oxazolidine and mixtures thereof.
- 9. (proposed amended) The composition of claim 1 further comprising [an effective amount of] a physiologically compatible salt.
- 10.*** The composition of claim 1 wherein said lipoprotein is a high density lipoprotein.
 - 11.*** The composition of claim 1 wherein said agent for lysing is saponin.
- 35. (proposed amended) The system of claim 5 further comprising a sample preparation instrument for preparing a whole blood sample for flow cytometric analysis.
- 36. The system of claim 5 further comprising an antibody for binding with a surface [antogen] antigen of at least one of said leukocytes.



- 37.*** The system of claim 36 further comprising a fluorochrome associated with said antibody.
 - 38.*** The system of claim 36 wherein said antibody is a monoclonal antibody.
- 39. (proposed new) A reagent composition for preparing leukocytes for cytometric analysis, comprising:
 - a. a high density lipoprotein;
 - an agent for lysing erythrocytes for permitting cytometric analysis
 of said leukocytes; and
 - e. a preservative selected from the group consisting of diazolidinyl urea (DU), imidazolidinyl urea (IDU), an oxazolidine and mixtures thereof.
- 40. (proposed new) A reagent composition for preparing leukocytes for cytometric analysis, comprising:
 - a. a high density lipoprotein;
 - b. an agent for lysing erythrocytes for permitting cytometric analysis of said leukocytes; and
 - c. diazolidinyl urea (DU).

^{***}Denotes claims for which no amendment is proposed, but which are included herein for reference purposes.